

City Council Introduction: **Monday**, August 25, 2003
Public Hearing: **Monday**, September 8, 2003, at **1:30 p.m.**

Bill No. 03R-236

FACTSHEET

TITLE: **WAIVER NO. 03010**, to waive the parking lot surfacing requirements, pursuant to § 27.67.100(c) of the Lincoln Municipal Code, on property generally located at South 70th Street and Highway 2.

SPONSOR: Planning Department

BOARD/COMMITTEE: N/A

STAFF RECOMMENDATION: Approval.

FINDINGS OF FACT:

1. Pursuant to § 27.67.100(c), the Lord of Life Lutheran Church is requesting to waive the parking lot surfacing requirements on a portion of the parking lot associated with the church, located at South 70th Street and Highway 2.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.2-3, concluding that the requested waiver meets the requirements of § 27.67.100(c).
3. This application does not require review and action by the Planning Commission.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: August 18, 2003

REVIEWED BY: _____

DATE: August 18, 2003

REFERENCE NUMBER: FS\CC\2003\WVR.03010

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Waiver No.03010

PROPOSAL: The Lord of Life Lutheran Church is requesting a waiver of the parking lot surfacing requirements.

CONCLUSION: The requested waiver meets the requirements of Section 27.67.100(c)

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

LOCATION: S. 70th St. & Highway 2.

LEGAL DESCRIPTION: See attached

EXISTING ZONING: AGR Agricultural Residential

EXISTING LAND USE: Church

SURROUNDING LAND USE AND ZONING:

North:	AGR Agricultural Residential	Single family residential
South:	AGR Agricultural Residential	Single family residential
East:	B-2 Planned Neighborhood Business	Commercial, Home Depot
West:	AGR Agricultural Residential	Single family residential

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2025 Comprehensive Plan designates this area as urban residential.

TRAFFIC ANALYSIS: S. 70th St. is classified as a minor arterial.

ANALYSIS:

1. This application is to waive the requirement for paving of a portion of the parking lot associated with a church.
2. Section 27.67.100(c) authorizes the City Council to grant a waiver to surfacing requirement if the following apply:

(c) Waiver of surfacing requirement: Upon application to the City Council, the owner of a parking lot may be relieved of the surfacing requirement of this section if the council finds that:

(1) The parking lot is (i) to be used in conjunction with a nonprofit, religious, educational, or philanthropic institution; (ii) in excess of the parking required by the provisions of this title and not pay parking; or (iii) used for employee parking and located wholly within an industrial district; and

This parking lot is to be used in conjunction with a church .

(2) Alternate materials or techniques shall be utilized which provide reasonable control of dust, runoff, and safe circulation; and

The site plan identifies that the drive and parking area will be crushed rock. The applicant has stated that if dust becomes a problem measures such as watering down the surface would be taken.

The site plan identifies concrete wheel stops to provide a barrier for safe circulation.

(3) (i) The location of the parking lot is a sufficient distance from surrounding uses that it will not adversely affect the surrounding uses; or

(ii) The frequency of use of the parking lot is so low that compliance with the surfacing requirement of this section would cause undue economic hardship upon the owner as compared with minimal impact upon surrounding land uses.

The applicant has stated that the only time all of the parking area may be utilized would be on Sundays. The proposed parking lot is sufficient distance from surrounding uses.

The lot is within a AGR district. The adjacent lots are one acre or larger.

Notwithstanding that a waiver is granted, if it is later found that dust or noise, created by the use of a parking lot exceeds the maximum levels set forth in Title 8 of the Lincoln Municipal Code, then such waiver may, after notice and hearing by the City Council, be revoked. Thereafter, the use of such parking lot shall cease unless surfaced in accordance with the adopted design standards.

3. The site plan identifies that seven of the 14 parking stalls shall be paved. The remaining stalls and driving aisle shall be crushed rock. The required parking for churches is one space per 50 sq. ft. in largest assembly hall. Building & Safety Department has determined that 14 parking stalls are required.
4. Almira Ln. located north of this site is a gravel residential road.
5. Public Works & Utilities Department does not object to this waiver.
6. The applicant is responsible for controlling off-site dust emissions from the parking lot. This will be accomplished by using crushed rock and watering down the surface when necessary.

Conditions of Approval

1. The parking lot shall be built in accordance with the attached site plan.

Prepared by:

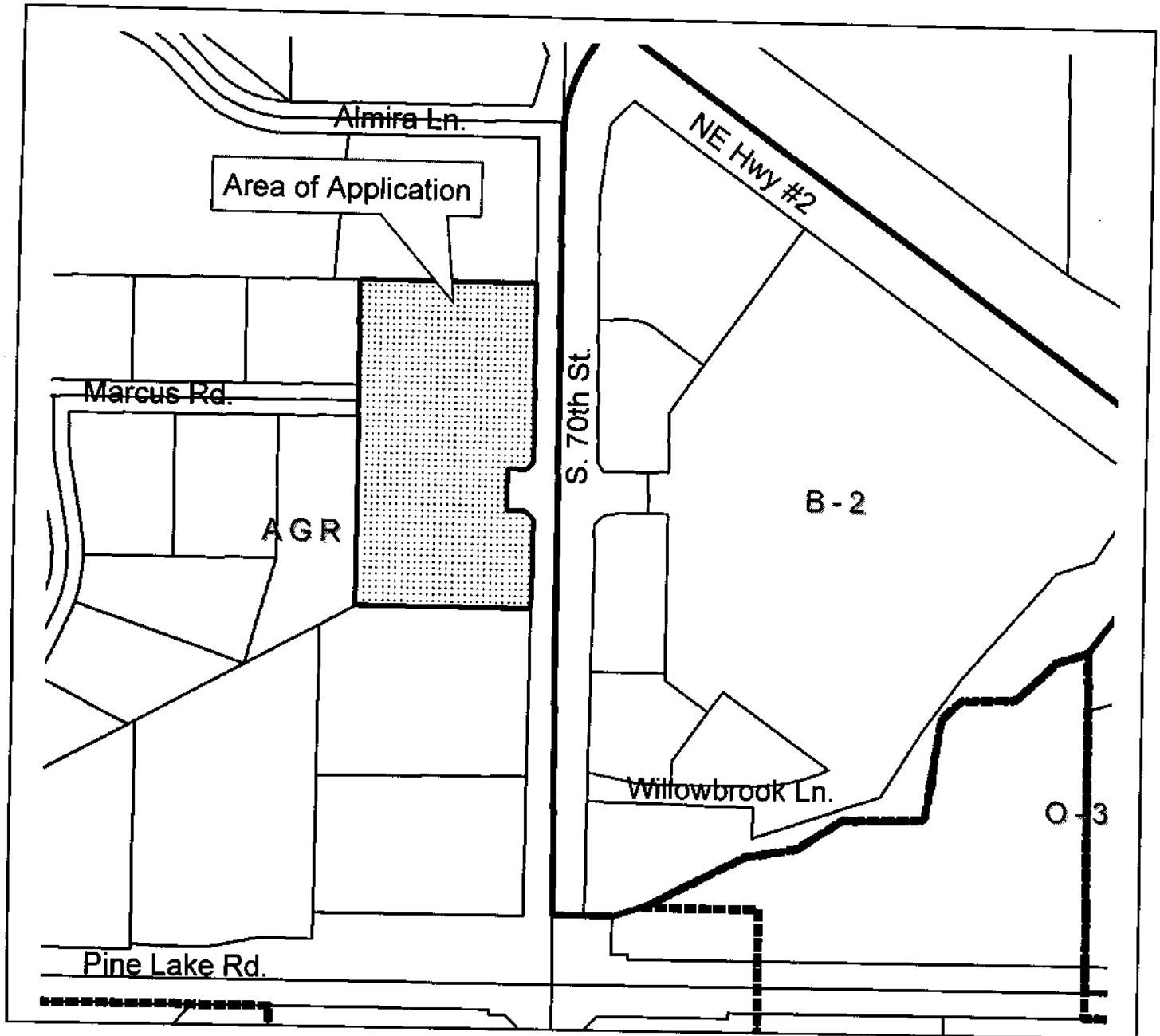
Tom Cajka
Planner

DATE: August 1, 2003

APPLICANT: Dennis Smith
5221 Elk Ridge Rd
Lincoln, NE 68516
(402) 804-0039

OWNER: Lord of Life Lutheran Church
6601 S. 70th St.
Lincoln, NE 68516

CONTACT: William Swenson
Lord of Life Lutheran Church
6601 S. 70th St.
Lincoln, NE 68516

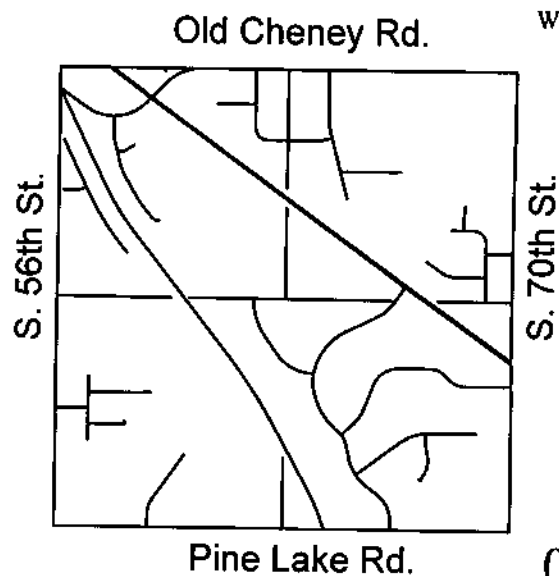
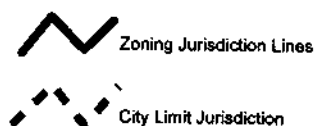


Waiver #03010 S. 70th & Hwy #2

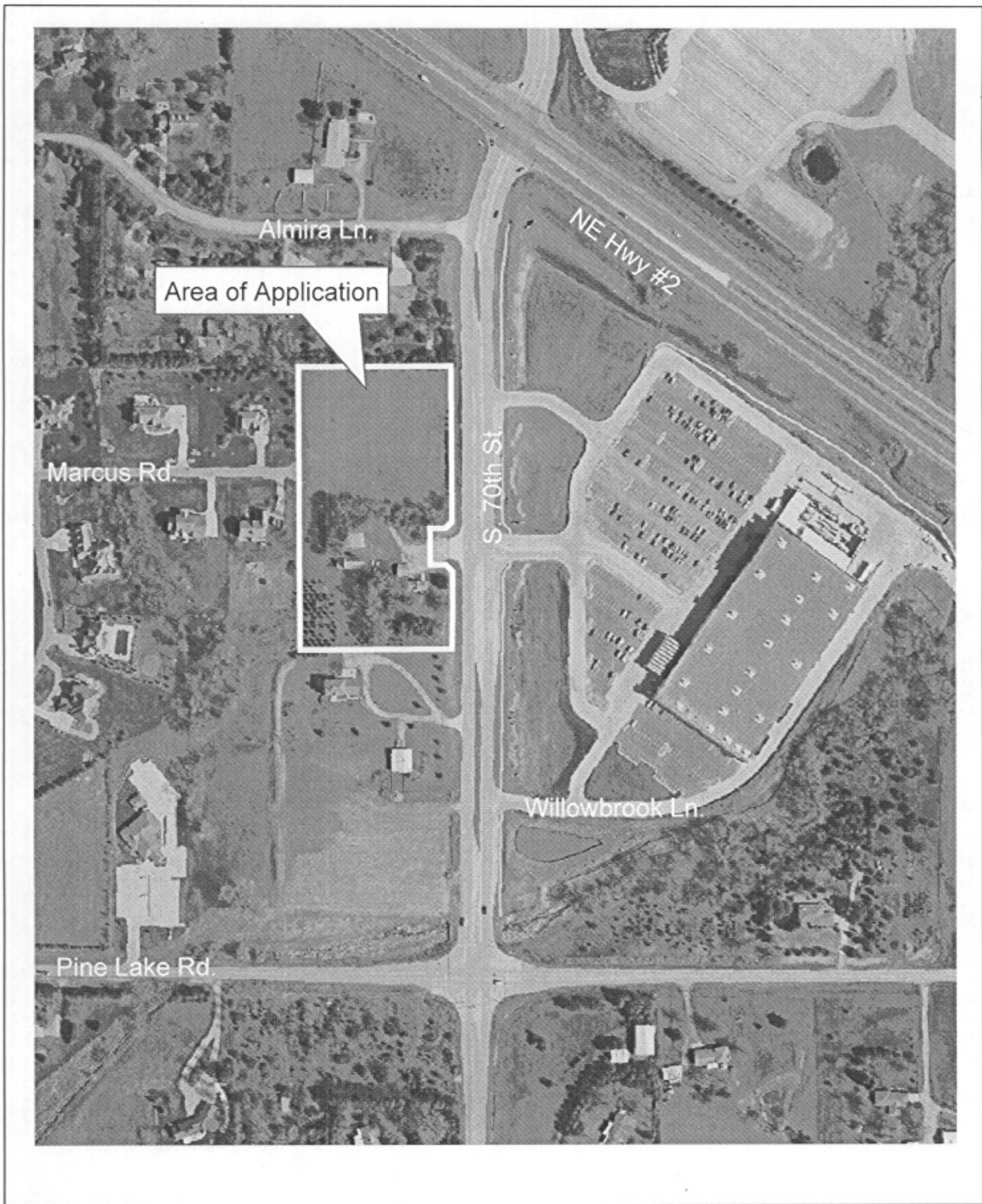
Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 16 T9N R7E



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Waiver #03010
S. 70th & Hwy #2



Lincoln City - Lancaster County Planning Dept.
2002 aerial



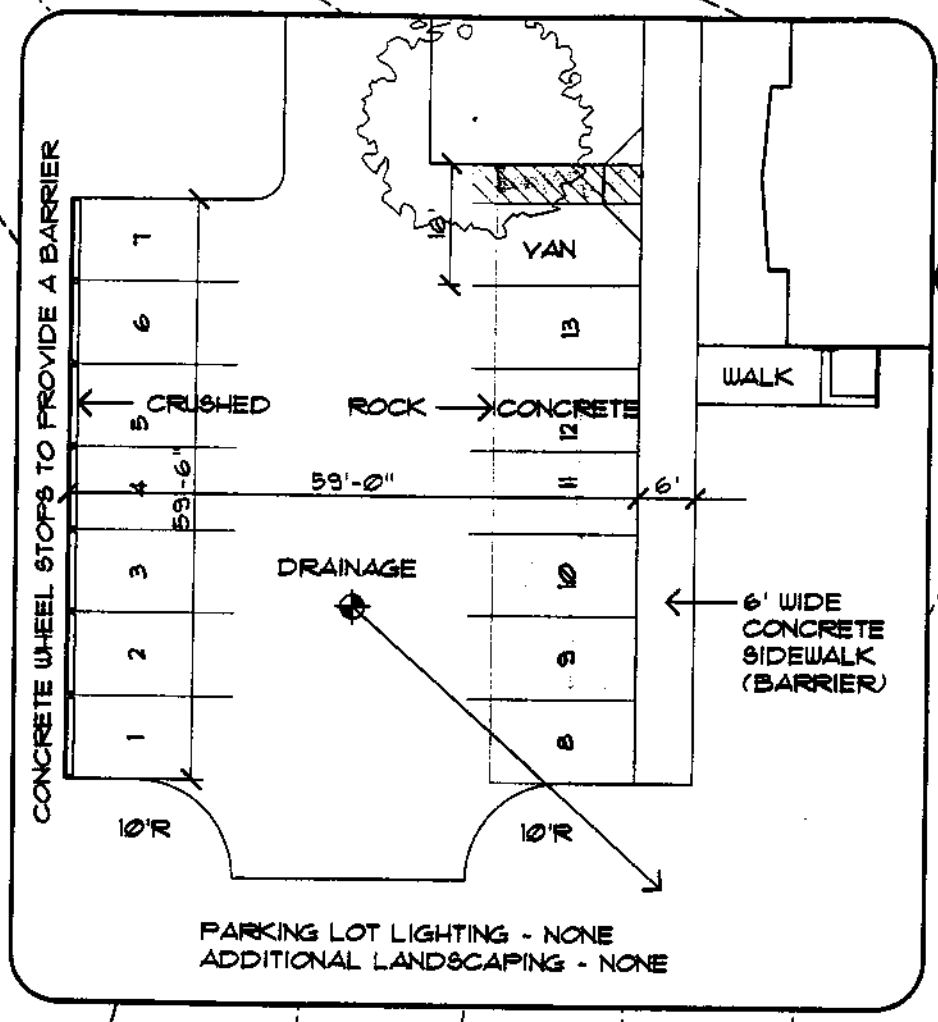
ROUND FINCH PIPE

S895703'E 340.19'

ROUND FINCH PIPE

Set 3/4" Bar

10' Utility Easement



PARKING LOT

RECEIVED
JUL 22 2003
LAND OFFICE

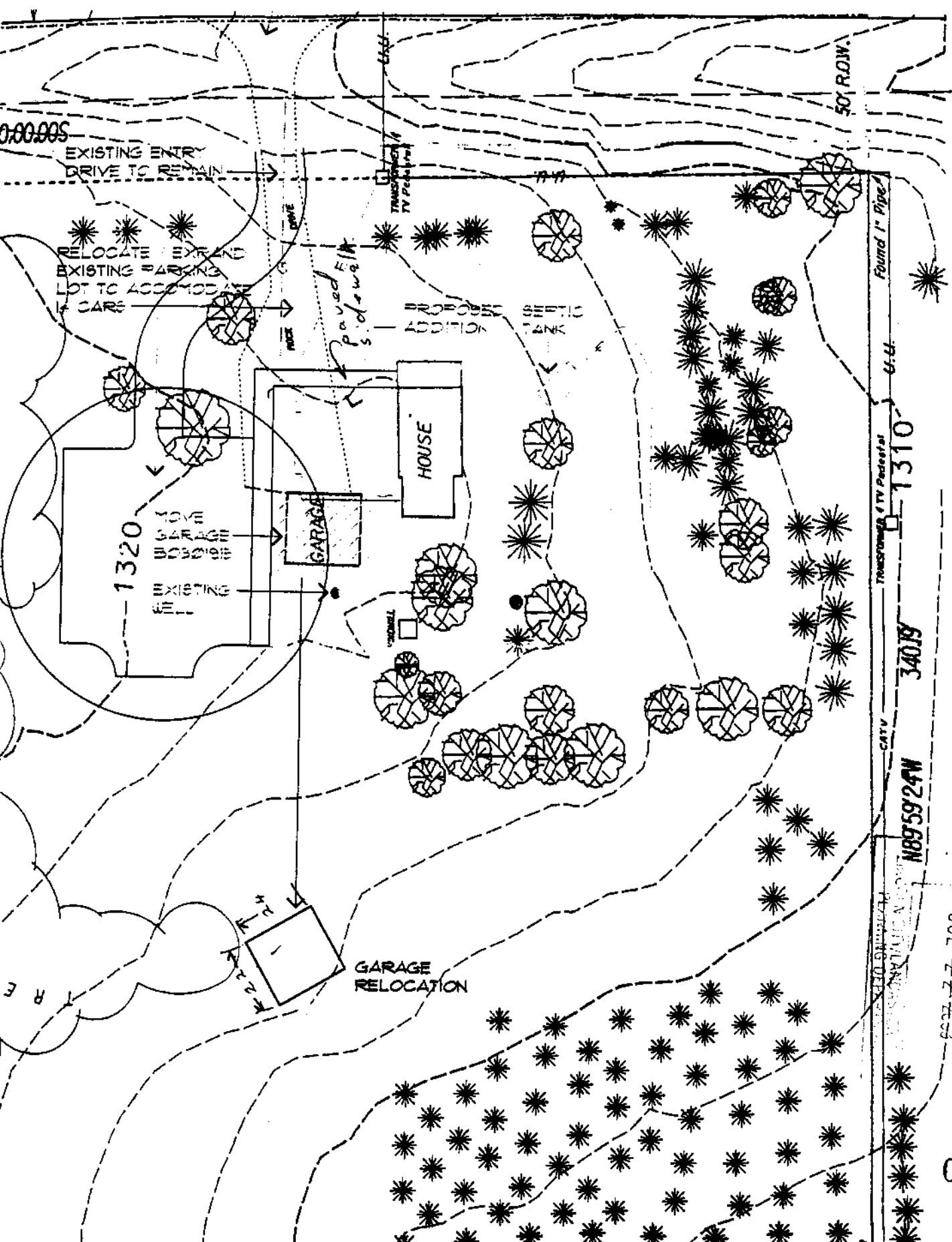
007

ROAD

CAN

62503'

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A D D I T I O N

22 nd

P L A C E

C O U N T R Y

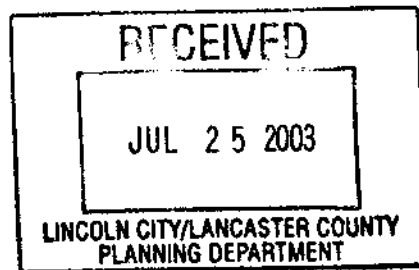
SURVEYOR'S CERTIFICATE: I hereby certify that this survey was made under my

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M e m o r a n d u m

To: Tom Cajka, Planning Dept.
From: BB Bruce Briney, Public Works and Utilities
Subject: Waiver #03010, Lord of Life Lutheran Church, 6601 South 70th Street
Waiver of the Requirement to Pave a Parking Lot
Date: July 24, 2003
cc: Nicole Fleck-Tooze
Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the application for Waiver #03010, Lord of Life Lutheran Church, 6601 South 70th Street, requesting a waiver of the requirement to pave a parking lot. The application proposes to pave 7 parking stalls and to leave the drive aisle and remaining 7 parking stalls unpaved. Public Works has no objection to the application.



**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Tom Cajka

DATE: July 31, 2003

DEPARTMENT: Planning

FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: EH File
EH Administration

SUBJECT: Waiver #03010

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the waiver application with the following noted:

- The applicant will be responsible for controlling off-site dust emissions from the parking lot in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32.

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JUL 17 2003

CITY BUILDING & SAFETY

RECEIVED
JUL 10 2003

July 7th, 2003

TO: Gary Spier

RE: Lord of Life Lutheran Church
Waiver of Parking Lot Surfacing

On behalf of Lord of Life Lutheran Church I am submitting the following information relative to the request for a waiver of the surfacing requirement for our parking lot.

1. We are putting an addition onto an existing house, which will allow our congregation to use the completed structure as a place of worship and for other church functions.
2. A total of 14 parking spaces are required. We plan a concrete surface parking for 7 spaces closest to the building to the north of the addition to accommodate quests, visitors, and persons with special needs. As overflow, another parking area is planned north of the tree line directly north of the proposed parking planned area. For a congregation of less then 50, these initial provisions appear to be more than adequate for our needs.
3. For the 6 years this address has been used for limited church functions, dust has never been a problem. Should "dust control become a concern, measures such as "hosing down the surfaces" will be taken. The church has always been, and will continue to be, a good neighbor.
4. Lord of Life Lutheran Church driveway is directly across 70th Street from Home Depot. The driveway now is concrete for 30 feet off of 70th Street, 60 feet of rock now exists from the concrete to the proposed parking lot at which point we plan to pour 7 spaces of concrete. 300 feet to the south is a rock driveway on the adjoining property. 675 feet to the north Almira Ln is a gravel residential street heading west off of 70th Street. Lincoln Berean Church, which is north of the Lord of Life Lutheran Church property and across Highway 2 has approximately 2/3 of its parking lot utilizing rock surface.
5. The only time all of the parking area may be utilized would be on Sundays. Attendance at activities during the week is not expected to use anything but the concrete surfaced lot adjacent to the main entrance.

wls

William L. Swenson, Lord of Life Lutheran Church member
Phone 402-804-0039

encl: Plan of site parking lot
Overall site plan with notations

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JUL 22 2003
CITY BUILDING & SAFETY

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DENNIS SMITH - 580-4030



Lord of Life

Lutheran Church

6601 South 70th Street
Lincoln NE 68516-3602 U.S.A.

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CITY BUILDING & SAFETY

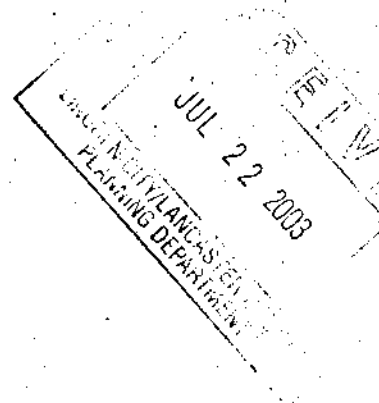
July 10, 2003

To Whom It May Concern:

As President of Lord of Life Church Council, I authorize Bill Swenson to seek a waiver from the Board of Appeals to allow alternate parking lot surfacing.

Susan L. Hansen

Susan L. Hansen



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